

FILED

JUN 25 2008

OFFICE OF
WORKERS' COMPENSATION JUDGE
HELENA, MONTANA

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IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

CASSANDRA SCHMILL,)	
)	
Petitioner)	WCC NO. 2001-0300
vs.)	
)	
LIBERTY NW INS. CORP.,)	
)	
Respondent/Insurer,)	
and)	
)	
MONTANA STATE FUND,)	
)	
Intervenor.)	

AFFIDAVIT OF THOMAS A. MARRA

STATE OF MONTANA)
 : ss.
County of CASCADE)

I, Thomas A. Marra, being first duly sworn upon oath, deposes and says:

DOCKET ITEM NO. 437

pdf

I, Thomas A. Marra, am an attorney retained by Travelers Property and Casualty.

In my capacity as an attorney for Travelers Property and Casualty, I am authorized to make the statements set forth in this affidavit on behalf of Travelers Property and Casualty and to bind Travelers Property and Casualty by these statements.

That counsel for Petitioner requested Travelers Property and Casualty to determine whether former subsidiaries, Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., wrote any workers compensation coverage in Montana during the time frame at issue in this case.

After a review of the records, I swear under oath that the three named former subsidiaries should be dismissed from the above-entitled action for any or all of the following reasons (check any or all that apply):

- Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., have never written workers' compensation insurance in the state of Montana;
- Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., does not have any Montana claims;
- Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., has no claimants meeting the Court's criteria in this matter as set forth in the summons;
- Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co., was or is in liquidation during the period in question set forth in the amended summons served upon me.

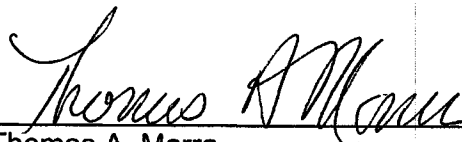
I understand that the Montana Workers' Compensation Court may allow a period of up to 90 days from the date of filing this affidavit within which counsel for Petitioner[s] may conduct discovery and investigation for the limited purpose of proving or disproving the foregoing statement(s) made by me on behalf of Economy, Fire and Casualty Co., Economy Preferred Ins. Co., and Economy Premier Ins. Co.. After such 90 days, if no objection is lodged by counsel for Petitioner[s], the Court will dismiss the insurer/self-insurer from this action based on the sworn statements made by me in this affidavit.

I declare under penalty of perjury that the foregoing is correct.

Further, affiant sayeth not.

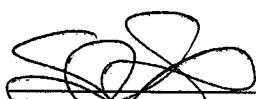
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DATED this 25th day of June, 2008.



Thomas A. Marra
(Attorneys for Travelers Property
and Casualty Ins. Co.)

Signed and sworn to before me this 25th day of June, 2008.



Sara R. Sexe
Notary Public for the State of Montana
Residing at Great Falls
My Commission Expires: 9/12/2011

CERTIFICATE OF MAILING

I, the undersigned, do hereby certify that a copy of the within and foregoing AFFIDAVIT was mailed on the 25th day of June, 2008, at Great Falls, Montana, and directed to the following:

Laurie Wallace
Bothe & Lauridsen, P.C.
P.O. Box 2020
Columbia Falls, MT 59912
Attorneys for Petitioner/Schmill



Diane R. Dahlman